

CIVIL CASE NO. 1:10cv222-RJC

Respondent.

ORDER

As of the entrance of this Order, Petitioner has not filed an abeyance motion that comports with the requirements of the Federal Rules of Civil Procedure. See Fed. R. Civ. P. 11(a). Therefore, Petitioner’s October 5, 2010 filing titled “Petitioner’s Motion to Hold Federal Habeas Proceedings in Abeyance” (Doc. No. 3) shall be struck from the docket. Additionally,

no abeyance having been imposed in this case, Petitioner's instant motion to release his habeas proceedings from abeyance will be dismissed as moot.

IT IS, THEREFORE, ORDERED that the Clerk of Court shall strike Petitioner's October 5, 2010 filing titled "Petitioner's Motion to Hold Federal Habeas Proceedings in Abeyance" (Doc. No. 3).

IT IS FURTHER ORDERED that Petitioner's Motion to Release the 28 U.S.C. § 2254 Habeas Corpus Petition from Abeyance (Doc. No. 25) is **DISMISSED** as moot.

Signed: March 7, 2011

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
Chief United States District Judge

